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SEP 23 2003

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|---------------------------------------|---|---------------------|
| In re Application of | : | OFFICE OF PETITIONS |
| Robert M. Burk | : | |
| Application No. 10/087,867 | : | ON PETITION |
| Filed: February 28, 2002 | : | |
| Attorney Docket No. 17008DIV5CON3(AP) | : | |

This is a decision on the petition under 37 CFR 1.137(b), filed September 15, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed December 12, 2002, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on March 13, 2003.

Pursuant to petitioner's authorization, Deposit Account No. 01-0885 was charged \$1,300.00 for the petition to revive an unintentionally abandoned application.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.

Wan Laymon
Petitions Examiner
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Office of the Deputy Commissioner
for Patent Examination Policy